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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/069,265	06/04/2002	Carsten Venn	2035	7842

7590

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EXAMINER

PHILOGENE, HAISSA

ART UNIT

PAPER NUMBER

2821

DATE MAILED: 08/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/069,265

Applicant(s)

VENN ET AL.

Examiner

Haissa Philogene

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 22 February 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 10-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 10-18 and 20 is/are rejected.
- 7) ☒ Claim(s) 19 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## DETAILED ACTION

### *Specification*

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10-13, 17, 18 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jennrich et al., Patent No. 5,550,424, in view of John, Patent No. GB 2 054 738, cited by Applicant.

As per claims 10 and 17, Jennrich discloses an ignition device and producing method thereof formed as a spark plug 10 comprising electrical connection means (19, 20), a tubular metal housing (11) with a screw-in thread (12) stamped onto it, at least one of metal components (16/2', 15/1) of the ignition device being at least in part provided with

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anti-corrosion means (22) in form of a lacquer. Jennrich does not disclose the anti-corrosion means in form of a paint. However, this feature is well-known in the art as evidenced by Jennings which discloses a spark plug having an anti-corrosion means in form of a paint (enamel paint) applied to the annular region of the metallic body 11. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide the paint as taught by John into the Jennrich type device, because it would allow a long-life sparking plug.

As per claims 11-13 and 20, Jennrich in view of John discloses the claimed invention substantially as explained above. Further, John discloses the annular region of the metallic body or housing 11 being provided with an enamel paint after an assembly of the spark plug (see abstract); said housing or metallic body 11 readable as forming of a metallic layer; and said paint being applied over the metallic layer 11.

As per claim 18, Jennrich in view of John discloses the claimed invention substantially as explained above. In addition, Jennrich discloses a spraying method during the assembly process of the spark plug via nozzles (see Col.3, line 42- Col.4, line 4).

Jennrich in view of John does not explicitly disclose the use of a device selected from the group consisting of a template and a suction device. It would have been an obvious matter of design choice to cover portions of the ignition device using a device selected from the group consisting of a template and a suction device to protect non-electric painted areas and aspirate any excess spray, since Applicant has not disclosed that the device selected from the group consisting of a template and a suction device solves any stated problem, and it appears that the spray method of Jennrich would perform equally

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well with the device selected from the group consisting of a template and a suction device.

Claims 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jennrich et al in view of John as applied to claim 12 above, and further in view of Oshima, Patent No. 4,967,116, cited by Applicant.

Jennrich in view of John discloses the claimed invention substantially as explained above except for the metalizing layer containing nickel or zinc. Oshima discloses in Figs. 1 and 2 a spark plug having a metallizing layer of housing 4 containing nickel (9) or zinc (see Col.4, line 5). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide the zinc or nickel metalizing layer as taught by Oshima into the Jennrich in view of John type device, because it would ensure a heat and corrosion resistant surface that can be used under high-temperature and high-pressure conditions.

Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jennrich et al in view of John as applied to claim 10 above, and further in view of Kasahara et al., Patent No. 4,297,405.

Jennrich in view of John discloses the claimed invention substantially as explained above except for the paint being colorless. However, this feature is well-known in the art as evidenced by Kasahara which discloses a clear paint having a colorless and transparent appearance coating a corrosion resistant layer-covered metallic substrate by spraying the paint to the corrosion resistant metalizing layer (see Col.8, lines 51-64). It would have been obvious to a person having ordinary skill in the art at the time the

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invention was made the colorless paint as taught by Kasahara into the Jennrich in view of John type device, because it would ensure an excellent anti-corrosive metallic article with a nacreous appearance.

### ***Allowable Subject Matter***

Claim 19 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: The prior art fails to disclose the step of subjecting the spark plug to a metalizing process prior to providing the paint.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Linder et al., Patent No. 4,489,596, « Spark plug with measuring means ».

### ***Correspondence***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haissa Philogene whose telephone number is (703) 305-3485. The examiner can normally be reached on 6:30 A.M.-6:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on (703) 308-4856. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

hp

Haissa Philogene  
Primary Examiner  
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